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Director - Regulatory Affairs & Contract Management  
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February 29, 2008  
Via Overnight Carrier

Federal Communications Commission  
Enforcement Bureau  
445 12th. Street SW  
Room 7-C723  
Washington, DC 20554

**Re: CY 2007 Annual CPNI Certification  
EB Docket No. 06-36**

Dear Sir/Madam:

As required by 47 C.F.R. §64.2009(e) **American Fiber Systems of Georgia, Inc.** hereby submits one (1) original of its annual CPNI compliance certification for Calendar Year 2007.

Sincerely,

  
Michael J. Nighan  
Director - Regulatory Affairs & Contract Management

Enclosure

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**AMERICAN FIBER SYSTEMS of GEORGIA, INC.**

**CY 2007 Annual Statement of CPNI Operating Procedures**

**Compliance with 47 C.F.R. Section 64.2005 through Section 64.2011**

1. During CY 2007 American Fiber Systems, Inc. ("AFSGA") offered and provided High Capacity and Local Exchange Competitive Local Exchange Carrier telecommunications services, such services falling into the "local" category of service. AFSGA marketed and provided such service exclusively to Enterprise and Carrier customers and did not market or provided service to residential customers.
2. Although holding a Global Resale International Telecommunications Certificate from the Commission, AFSGA did not market any form of international service to existing or new customers. Nor did AFSGA market any form of interexchange service to existing or new customers.
3. Neither has AFSGA ever marketed or provided any form of Commercial Mobile Radio Service to new or existing customers.
4. Accordingly, CPNI was used by AFSGA exclusively to market and provide services within the "local" category and AFSGA did not disclose or permit access to CPNI for the marketing or provision of services outside of the "local" category.
5. Therefore, new or existing AFSGA customers did not have the ability to subscribe with AFSGA for services within either the "interexchange" or "CMRS" categories of service and thus it was not possible for AFSGA to violate the service category customer approval requirements of the CPNI rules.
6. Further, AFSGA did not use, disclose to third parties, or permit access to CPNI except on an as needed basis for the provision of inside wiring installation, maintenance and repair of customer services, or to protect the rights or property of AFSGA, or to protect the users of AFSGA services and other carriers from fraudulent, abusive or

unlawful use of services, such disclosure/access not requiring customer approval. Nor did AFSGA engage in any marketing campaigns which utilized CPNI.

7. AFSGA has required all employees to sign an Employee Nondisclosure, Noncompetition and Assignment Agreement ("Agreement") as a condition of employment or continued employment. Under the terms of the Agreement AFSGA employees are prohibited from divulging confidential information of any customer to any individual or entity outside of AFSGA. This provision is binding upon employees even after their termination of employment. Furthermore, AFSGA employees are required to devote their full time efforts to the business of AFSGA and are explicitly prohibited from engaging in any other business activity that would conflict with their duties to AFSGA. In the event that an employee violates the Agreement AFSGA may terminate the employee in addition to any other remedies available at law or in equity.

8. AFSGA has taken, and continues to take, reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI:

a) For example, through the use of "firewalls" AFSGA blocked unauthorized attempts to gain access to corporate systems. In addition, via encryption of CPNI, AFSGA further reduced the possibility that usable CPNI data could be accessed illegally.

b) Internal access to CPNI was restricted to company employees on a "need-to-know" basis.

c) Customer requests for call detail information were only accepted by AFSGA via telephone or e-mail from the previously-established customer contact-of-record and in turn were only supplied via return telephone call or e-mail to the customer contact-of-record.

d) Direct customer access to CPNI was available only via a randomly-generated password provided by AFSGA to the customer's contact-of-record. Customer requests for replacements for lost or forgotten passwords were accepted only from the previously-established customer contact-of-record and such replacements passwords were likewise transmitted only to the contact-of-record.

e) Notification of customer account changes were accepted only from the customer contact-of-record and AFSGA immediately notified and acknowledged such a change to the customer via return telephone call or e-mail communication with the customer contact-of-record.

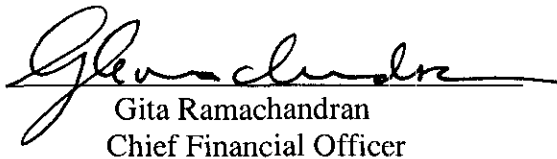
9. Although no such breaches have occurred, AFSGA is aware of and will comply with all requirements of 47 C.F.R. Section 64.2011 to notify the appropriate agencies and the impacted customer(s) of any security breach involving CPNI within the prescribed time frames and to maintain the appropriate records.

10. During CY2007 AFSGA received no complaints relating to the unauthorized release of CPNI.

## **CERTIFICATE OF COMPLIANCE**

Pursuant to Section 64.2009(e) of the rules and regulations of the Federal Communications Commission ("FCC"), 47 C.F.R. §64.2009(e) I, Gita Ramachandran, Chief Financial Officer and agent of American Fiber Systems of Georgia, Inc. ("AFSGA"), hereby certify that during Calendar Year 2007 AFSGA was in material compliance with the rules and regulations governing the use and disclosure of Customer Proprietary Network Information, 47 C.F.R. §64, Subpart U ("CPNI Rules").

The attached "Statement of CPNI Operating Procedures" constitutes a statement explaining how AFSGA's operating procedures generally ensured that AFSGA was in material compliance with the CPNI Rules during Calendar Year 2007, and is based upon the reasonable diligence of the undersigned.



Gita Ramachandran  
Chief Financial Officer

Date: February 29, 2008